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February 28, 2022

Via ECF

Hon. Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, New York 10007
Failla_NYSDChambers@nysd.uscourts.gov

MEMO ENDORSED

Re: ABKCO Music & Records, Inc., et al v. Coda Publishing, Ltd., et al
No.1:19-cv-11892-KPF

Dear Judge Failla:

This office is counsel to Plaintiffs in the above entitled action. We are writing to request leave to file documents under seal related to Exhibits 1 and 2 annexed to the Declaration of Ed Arrow and to file a redacted version on the public docket of the Declaration of Ed Arrow in Opposition to Defendants' Cross-Motion for Summary Judgment and Daubert Motion (ECF#195).

Specifically, Plaintiffs request leave to file Exhibits 1 and 2 to the Declaration of Ed Arrow in Opposition to Defendants' Cross-Motion for Summary Judgment and Daubert Motion under seal, based on the parties' agreement, the Protective Order entered in this case (ECF No. 55), and because these exhibits, as detailed further herein, contain sensitive, non-public information, including previously non-disclosed financial information, non-disclosed licenses and proprietary information. More specifically, Exhibit 1 contains royalty amounts and financial information and Exhibit 2 is an internal Company Profile, and contains information regarding mergers and financial information. We seek leave to file under seal confidential terms from appearing on the public docket, and designated by Plaintiffs as Confidential and "Attorneys' Eyes Only." Plaintiffs requested that "Attorneys' Eyes Only" documents be designated as confidential. Accordingly, Plaintiffs respectfully request Your Honor allow them to file these exhibits to the Declaration of Ed Arrow under seal to protect the confidentiality of the referenced material.

In addition, Plaintiffs have identified the information contained in Paragraphs 9, 14, 15, 16, 17, and 19, in the Declaration of Ed Arrow and seek to file a redacted version of the Declaration on the public docket. The Declaration of Ed Arrow includes previously non-

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disclosed licenses, inter-company licenses and internal company information that is Confidential and for "Attorneys' Eyes Only".

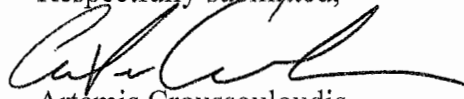
Plaintiffs' requests are narrowly tailored and are meant to preserve and honor the confidentiality designations made by the parties in this case pursuant to the Protective Order, which are designed to protect sensitive non-public information related to the parties' financial and proprietary information. (ECF No. 55).

Plaintiffs filed unredacted and sealed versions of the aforementioned documents via ECF (ECF#195). Accordingly, Plaintiffs respectfully request Your Honor allow Plaintiffs to file Exhibits 1 and 2 under seal to protect the confidentiality of the referenced material and to file a redacted version of the Declaration of Ed Arrow to protect the confidentiality of these referenced material.

Plaintiffs will also submit unredacted versions of Plaintiffs' filings to Chambers via email as well as a redacted version of the Arrow Declaration.

Accordingly, Plaintiffs respectfully request that the Court grant their request to file the aforementioned documents redacted and under seal.

Respectfully submitted,



Artemis Croussouloudis

cc: Joshua L. Ray, Esq.
Toby Butterfield, Esq.
Zaid Shukri, Esq.
Michael B. Kramer, Esq.

Application GRANTED.

For the reasons stated above, the Court will permit Plaintiffs to maintain the unredacted copies of the declaration of Ed Arrow in opposition to Defendants' cross-motion for summary judgment and *Daubert* motion and the exhibits attached thereto under seal.

Plaintiffs are directed to file redacted versions of the above-described documents on the public docket.

The Clerk of Court is directed to maintain the unredacted declaration and exhibits filed at docket entry 195 under seal, viewable only to the parties and Court.

The Clerk of Court is further directed to terminate the motion at docket entry 198.

Dated: February 28, 2022
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE